

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-8 remain in the application.

In item 3 on pages 2-3 of the above-mentioned Office action, claims 1-8 have been rejected as being anticipated by Fischer et al. (US Pat. No. 6,659,355 B1) under 35 U.S.C. § 102(e).

Enclosed please find a Declaration under 37 CFR 1.131 together with a copy of the "Invention Disclosure"

("Erfindungsmeldung"), a report of the invention by the inventors prepared on **November 24, 2000**, which date is before the effective date **March 1, 2001** of Fischer et al. An English translation of the Invention Disclosure is also enclosed.

The document Fischer et al. is therefore not available as a prior art reference for the instant application. Therefore, Applicant respectfully submits that the Section 102 rejections on pages 2-3 of the Office action are now moot.

It is noted that a claim for priority and a certified copy of the priority document were filed October 27, 2003. In order to perfect the priority of the instant application, a

certified English translation of the priority German application 101 20 254.7, filed April 25, 2001, will be submitted as soon as possible.

The declaration under 1.131 is unsigned. A signed copy of the declaration will be submitted as soon as Counsel obtains the signature from the inventor.

In view of the foregoing, reconsideration and allowance of claims 1-8 are solicited.

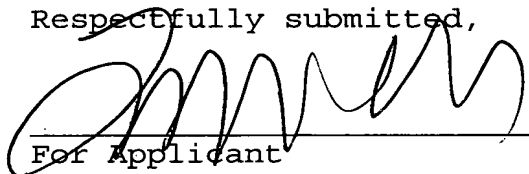
In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to

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Respectfully submitted,

  
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For Applicant

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